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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

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NO. C 07-05152 JW

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In re Apple & AT&TM Antitrust Litigation

**ORDER FOLLOWING CASE
MANAGEMENT CONFERENCE**

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The Court conducted a Case Management Conference on June 23, 2008. Counsel for the respective parties were present. In light of the representations of the parties at the Case Management Conference, the Court orders as follows:

- (1) The Court specially sets a hearing on **September 12, 2008 at 1 p.m.** for Defendants' anticipated motions to dismiss and to compel arbitration. Discovery shall be stayed on all antitrust claims and claims potentially subject to the arbitration clause pending the Court's resolution of Defendants' motions.¹
- (2) However, the Court refers the parties to Magistrate Judge Richard Seeborg to set up a discovery plan which may be implemented as soon as the Court resolves Defendants' motions. Plaintiffs may move Judge Seeborg to permit early discovery of any claims not related to antitrust or potentially subject to the arbitration clause.

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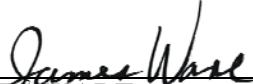
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Dated: June 26, 2008


JAMES WARE
United States District Judge

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United States District Court
For the Northern District of California

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17 **Dated: June 26, 2008**

Richard W. Wieking, Clerk

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19 By: /s/ JW Chambers
20 Elizabeth Garcia
21 Courtroom Deputy
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